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C O N F I D E N T I A L SECTION 01 OF 02 CAIRO 001850

SIPDIS

FOR NEA/ELA AND DRL/NESCA

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TAGS: PREL PGOV PHUM KDEM KIRF EG

SUBJECT: NDP INSIDER ON UPCOMING ELECTIONS AND LEGISLATION

REF: A. CAIRO 1181

1B. CAIRO 1059

1C. CAIRO 814

1D. CAIRO 464

Classified By: Economic-Political Minister-Counselor
Donald A. Blome for reasons 1.4 (b) and (d).

11. KEY POINTS

-- (C) On September 17, ruling National Democratic Party (NDP) Shura Council Member Hossam Badrawi told visiting NEA/ELA desk officer and poloff that high turnout in the 2010 parliamentary elections would benefit the NDP over the Muslim Brotherhood.

-- (C) He called for a number of steps to bolster the elections' legitimacy and increase voter turnout, including the presence of international monitors. He recommended that the USG encourage the GOE to accept such monitors under the auspices of a "neutral, international body."

-- (C) Badrawi said President Mubarak has decided that the 2010 elections will be in the same single-district format as the 2005 parliamentary elections, as opposed to a party-list system.

-- (C) Badrawi is pressing for legislative progress in the coming parliamentary session, which will begin in November, on issues such as replacing the Emergency Law with a counterterrorism law guaranteeing civil liberties, church building, combating torture, and strengthening NGOs.

12. (C) Comment: Badrawi is also a member of the influential NDP policies committee, a confidante of presidential son Gamal Mubarak and a member of the quasi-governmental National Council for Human Rights (NCHR). He is an energetic advocate for improvements on human rights and political participation, but has not been successful to date in convincing the GOE to implement the recommendations he has pursued through the NCHR and on his own (refs A, C). The degree to which Badrawi has alienated conservative NDP members is unclear; a recent press report alleged resentment within the party over Badrawi's criticism of the GOE. Badrawi raises a number of important issues regarding the 2010 upcoming elections. We will report septel on our recommendations for how the USG can best pursue its election-related interests through diplomacy and USG-funded programs. End comment.

Elections: Higher Turnout Is Key

13. (C) Badrawi assessed that a large voter turnout in the 2010 Shura Council and People's Assembly elections would favor the NDP over the Muslim Brotherhood. He attributed the strong showing of MB-linked candidates in the fall 2005 People's Assembly elections to low voter turnout that

included a disproportionate percentage of MB supporters. Badrawi said that the majority of Egyptians are not MB-supporters and do not want to become like Palestinians in Gaza "ruled by Hamas." Therefore, Badrawi continued, he would like to see steps taken to encourage greater turnout in 2010.

¶4. (C) To increase voter turnout, Badrawi called for improved voter registration, allowing expatriate Egyptians to vote, and removing police from polling stations. Badrawi opined that the High Election Commission should urge the public to vote by citing improvements in transparency and the registration process. He said NCHR plans to air radio advertisements to encourage voter turnout. Badrawi questioned whether the GOE has the political will to hold more open elections with greater turnout, asserting that it would be "easier" for the GOE to follow past practices.

A Call for International Monitors

¶5. (C) Badrawi believed international monitors would increase the public's confidence in the legitimacy of the elections, and he said he is privately advocating within the NDP for the GOE to accept such monitors. He recommended early USG engagement with the GOE on accepting international monitors under the auspices of a "neutral, international body." He also suggested the U.S. provide technical assistance for a domestic monitoring effort coordinated by NCHR. (Note: According to the AID-funded National Democratic Institute, NCHR has not yet decided what role it wants to play with

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domestic monitors. End note.)

Mubarak's Decision on Single-District Elections

¶6. (C) Badrawi said President Mubarak had recently decided definitively that the 2010 elections would be single-district contests as they were in 2005, with the two winning candidates in each district gaining seats. Badrawi said he and other NDP colleagues had strongly argued for a party list system where nation-wide voting would determine each party's share of the seats (ref D). Badrawi said he supported a list system because it would strengthen parties and help women and the Coptic minority.

¶7. (C) Badrawi speculated that Mubarak made this decision partly out of personal pique at Badrawi for calling strongly for ending the Emergency Law in the NCHR's September submission to the UN Human Rights Council's February 2010 Universal Periodic Review (UPR) of Egypt. (Comment: We believe Mubarak's decision was probably more of an attempt to enforce party discipline in reaction to NDP reformers advocating for a party-list system, than a direct response to Badrawi and the NCHR's UPR report. Mubarak also probably wanted to avoid the legislative and practical difficulties of changing the electoral rules so late in the game. End comment.) (Note: We will report septel on the September UPR submissions by NCHR and NGOs. End note.)

New Legislation

¶8. (C) Badrawi predicted that passing a uniform places of worship law with equal treatment for Muslims and Copts "would take time." He said that President Mubarak is directly involved in the process and believes that any new legislation should preserve the presidency's role in approving the building of new churches. He called for a counterterrorism (CT) law guaranteeing civil liberties to replace the Emergency Law, and acknowledged GOE resistance. (Note: Per

ref B, Parliamentary Affairs Minister Shehab told the Ambassador in May that the MOI had not approved the draft CT law because it wanted a longer pre-trial detention period. End note.)

¶9. (C) Badrawi said he is pressing for a new anti-torture law that would penalize police officers for ordering subordinates to commit torture, as well as senior officers who are aware of torture taking place. He called for amendments to the current NGO law that would transfer the power to dissolve NGOs from the executive branch to the courts. Badrawi predicted that GOE anxiety over the coming elections would delay action on controversial legislation.

Scobey